Exhibit 24

Deposition of Sean Shelby (April 12, 2017) (excerpted)

```
1
              UNITED STATES DISTRICT COURT
                  DISTRICT OF NEVADA
    CUNG LE; NATHAN QUARRY, JON
    FITCH, on behalf of
    themselves and all others
    similarly situated,
              Plaintiffs,
                                     Case No.
              vs.
                                     2:15-cv-01045-RFB-(PAL)
    ZUFFA, LLC, d/b/a Ultimate
    Fighting Championship and
    UFC,
              Defendant.
                    CONFIDENTIAL
         VIDEOTAPED DEPOSITION OF SEAN SHELBY
                 Las Vegas, Nevada
                   April 12, 2017
                     9:11 a.m.
Reported By:
Gale Salerno, RMR, CCR No. 542
Job No. 49972
```

26 28 1 Q. So when you're trying to set sides for a 1 BY MR. MADDEN: 2 bout, where do you start? 2 Q. Is that accurate? 3 A. You generally try to get the fairest 3 A. I understand what you're saying. Every 4 match-up possible. But again, there's so many 4 situation is different. So you could have a fighter 5 factors: Which fighters are available, when a 5 who is ranked who requests a similarly ranked 6 fighter wants to fight. 6 fighter. I have had fighters request an unranked 7 7 You also have to take into account who a fighter. 8 8 fighter wants to fight. I mean, I can't make anybody So it -- I mean, it's -- it goes different 9 9 ways. 10 10 So you have to talk to both sides, and they Q. When you say you've had fighters request an 11 both have to agree to it. 11 unranked fighter, is that a fighter who is close to 12 12 But, if you look -- you know, and rankings getting their title shot? 13 do factor into it if those fighters are ranked or one 13 MR. WIDNELL: Objection. Form. When you say "is that a fighter," which 14 is and one isn't. 14 15 15 fighter are you referring to? Q. The fighters themselves look at the 16 16 THE WITNESS: Yeah, I mean, that's a rankings; is that accurate? 17 MR. WIDNELL: Objection. Form. 17 general statement. I've put a lot of bouts together, 18 THE WITNESS: I mean, I would assume they 18 so you have to give me some specific examples for me 19 do. I can't tell you if they do or don't 19 to say yes or no. 20 20 specifically, but I would assume. BY MR. MADDEN: 21 BY MR. MADDEN: 21 Q. Well, you just said you've had a fighter 22 22 Q. Well, you said that when they -- that -request an unranked fighter. So I'm asking about the 23 circumstances under which that occurred. 23 24 24 You said that who the fighter wants to MR. WIDNELL: Again, wait for a question 25 fight is part of your matchmaking process, and one of 25 before you answer. 29 1 the things that fighters discuss with you when you're BY MR. MADDEN: 1 2 talking to them about that is whether the person is 2 O. So were the circumstances under which that 3 higher ranked than them; is that accurate? 3 occurred such that it involved a fighter who was 4 MR. WIDNELL: Objection. Misstates 4 close to challenging for a title requesting an 5 5 testimony. Form. unranked opponent? 6 THE WITNESS: I'm not sure what you're 6 MR. WIDNELL: Objection. Form. 7 7 asking. You can answer. THE WITNESS: I mean, it's tough, because I 8 BY MR. MADDEN: 8 9 9 Q. So it would generally be the case that a don't want to make the fighter, you know, look bad in 10 fighter who is close to challenging for a title would 10 any way. But there are fighters -- like I just had a 11 11 not want to fight a lower-ranked fighter, a situation where I asked Carla Esparza, she would 12 significantly lower-ranked fighter, someone who is 12 fight another top ranked fighter, and she didn't want 13 13 not close to challenging for the title in a bout? to. She asked for something else. And so I said, 14 MR. WIDNELL: Is there a question? 14 well, you know, we'll see if we can do this. And I 15 THE WITNESS: I'm not sure what you're 15 think in her last bout, she ended up competing 16 asking. Can you please rephrase that? 16 against, I think it was Randa Markos, I believe. 17 BY MR. MADDEN: 17 And in those situations, all you can do is 18 18 Q. So if you offer a fight to someone who is go and ask the other fighter, you know, if they would 19 close to challenging for a title --19 like to compete as well. And if the other fighter 20 A. Okay. 20 agrees, then you can take it from there. 21 21 Q. -- and their offered opponent is BY MR. MADDEN: 22 22 significantly lower ranked, a fighter, the higher Q. So was Carla Esparaza in a position to 23 23 ranked fighter, would not want to take that fight fight for a title soon? 24 because of the ranking? 24 A. I mean soon, so when you say "soon," I mean 25 25 MR. WIDNELL: Again, is there a question? anything can happen because of injuries and whatnot.

8 (Pages 26 to 29)

	30		32
1	There have been fighters that weren't scheduled to	1	different factors. I mean, win streaks, who they
2	fight for a title, you know, within six months, eight	2	have competed against, how they've looked. I guess
3	months. And then you have injuries and that changes	3	rankings would factor into that as well.
4	everything all the time.	4	Q. So the criteria for who gets the title shot
5	Q. So if you had what weight division is	5	is based on win streaks, the quality of the opponents
6	Carla Esparaza?	6	in that win streak, and the ranking?
7	A. She's a straw weight.	7	A. And additionally, athlete availability,
8	Q. So if you had a opportunity for a straw	8	scheduling. Again, there's a lot of variables.
9	weight title fight where the opponent for the current	9	Q. Is one of the criteria the number of fights
10	champion I'm not going to even try to pronounce	10	left on their contract?
11	her name	11	A. Like, I'm trying to say that
12		12	
13	A. Joanna Jedrzejczyk?	13	Q. I'll rephrase. If they have one fight left
	Q. Yes. If you had a fight for her, and the		on their contract, is that a factor in whether you
14 15	opponent dropped out, would Carla Esparza be on the	14	would give them a title shot?
	short list of people for a replacement?	15	A. For me, I would be willing to put a fighter
16	MR. WIDNELL: Objection. Form.	16	into that situation.
17	THE WITNESS: So there are so many	17	Q. Have you ever done so?
18	variables, it's really hard for me to say that,	18	A. No, I haven't. I don't think I have.
19	because things change so fast, and you know,	19	Q. Would you first attempt to negotiate an
20	especially in regards to title fights.	20	extension before you put them into that position?
21	It's you never really want to talk in	21	A. Sure.
22	absolutes like that because you can say something,	22	Q. As part of that negotiation, would you tell
23	and you end up having to change your mind the next	23	them that their title shot is coming up?
24	week. It's just that the circumstances dictate	24	MR. WIDNELL: Objection. Form.
25	that.	25	THE WITNESS: Well, again, you know, you
	31		33
1	BY MR. MADDEN:	1	have it's hard to know if somebody has got a title
2	Q. Well, I wasn't speaking in absolutes. I'm	2	shot coming up. I mean, they could win their next
3	asking whether she would be on a short list for a	3	one, they could lose their next one. Sometimes
4	title	4	fighters are all on the right track. You're looking
5	A. Considering her ranking, I would assume	5	at them, and you're like you're on your way, you're
6	that, you know, that she would have to be.	6	doing great.
7	If Joanna was in a situation where she was	7	BY MR. MADDEN:
8	to fight, and there weren't a clear opponent for her,	8	Q. Sure. But so a fighter with one fight left
9	that I believe I'm not sure where Carla was, I	9	on their deal
10	think she was top five. So in that situation, I	10	A. Uh-huh.
11	mean, yeah, it's a possibility.	11	Q and if I understand your testimony
12	Q. So the short list is created based on the	12	correctly, you would be willing to put them in a
13	fighters who are ranked highly in the UFC rankings?	13	situation where that one fight was a championship
14	A. And even then, that's not 100 percent	14	fight. So my question is, would you strike that.
1 -	•		I believe I also understand your testimony
15	accurate to say. I assume that, you know, again, if	15	I believe I also understand your testiniony
15 16	accurate to say. I assume that, you know, again, if a fighter is scheduled to compete, and, you know, the	15 16	to be that you would try to negotiate a new deal with
16	a fighter is scheduled to compete, and, you know, the	16	to be that you would try to negotiate a new deal with them before the title fight, and so my question is
16 17	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled,	16 17	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight
16 17 18	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled, other fighters are injured, there's a lot of factors that go into it.	16 17 18 19	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight next if they signed the new deal?
16 17 18 19	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled, other fighters are injured, there's a lot of factors that go into it. Q. So there are no objective criteria for who	16 17 18 19 20	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight next if they signed the new deal? MR. WIDNELL: Objection. Misstates
16 17 18 19 20	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled, other fighters are injured, there's a lot of factors that go into it. Q. So there are no objective criteria for who would get a title fight?	16 17 18 19 20 21	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight next if they signed the new deal? MR. WIDNELL: Objection. Misstates testimony. Calls for speculation.
16 17 18 19 20 21	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled, other fighters are injured, there's a lot of factors that go into it. Q. So there are no objective criteria for who would get a title fight? A. Well, what you do is, I mean, you try to	16 17 18 19 20 21 22	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight next if they signed the new deal? MR. WIDNELL: Objection. Misstates testimony. Calls for speculation. THE WITNESS: So when somebody goes, you
16 17 18 19 20 21 22 23	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled, other fighters are injured, there's a lot of factors that go into it. Q. So there are no objective criteria for who would get a title fight? A. Well, what you do is, I mean, you try to put the in many cases, you're trying to put the	16 17 18 19 20 21 22 23	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight next if they signed the new deal? MR. WIDNELL: Objection. Misstates testimony. Calls for speculation. THE WITNESS: So when somebody goes, you know, say somebody is going to get a title shot, you
16 17 18 19 20 21 22	a fighter is scheduled to compete, and, you know, the other fighters are having other bouts scheduled, other fighters are injured, there's a lot of factors that go into it. Q. So there are no objective criteria for who would get a title fight? A. Well, what you do is, I mean, you try to	16 17 18 19 20 21 22	to be that you would try to negotiate a new deal with them before the title fight, and so my question is would you tell them that they would get a title fight next if they signed the new deal? MR. WIDNELL: Objection. Misstates testimony. Calls for speculation. THE WITNESS: So when somebody goes, you

9 (Pages 30 to 33)

	34		36
1	champion. Or even just fighting for the title, it's	1	to 10:03 a.m.)
2	a more valuable thing.	2	THE VIDEOGRAPHER: We are now back on the
3	So in actuality, in many cases you want	3	record. The time is approximately 10:03 a.m.
4	them to have a better deal or more money even going	4	BY MR. MADDEN:
5	into that fight.	5	Q. So you have in front of you a document
6	BY MR. MADDEN:	6	that is Bates numbered ZFL1897060, and it ends at
7	Q. Do you consider story lines when you're	7	ZFL1897369. And it's a compilation of text
8	matching fighters up, like rubber matches, bad blood,	8	messages.
9	comeback fights, things along those lines?	9	Is your cell phone number (702) 249
10	MR. WIDNELL: Objection. Form.	10	strike that.
11	THE WITNESS: I mean, that's fair to say in	11	Is your cell phone number (702) 497-8364?
12	some cases. There are fighters that say, well, I	12	A. Yes.
13	have an issue with another fighter, you know, there's	13	Q. Okay. And did you, or do you have
14	things going on between us. And so in some cases you	14	strike that.
15	would do that.	15	Are you the owner of the e-mail address
16	BY MR. MADDEN:	16	SeanShelby@gmail.com?
17	Q. Do you think that makes for better fights?	17	A. Yes.
18	A. No, not necessarily. In some cases, you	18	Q. Are you the only user of that e-mail
19	know, you're going to get fighters that, you know,	19	address?
20	there's so much disdain for each other, and then when	20	A. Yes.
21	it comes time for them to actually compete and I'm	21	Q. And are you the only user of the cell phone
22	just guessing here, but there's so much for them to	22	number (702) 497-8364?
23	lose. And in some situations, you actually can get a	23	A. Yes.
24	worse fight. That's not every case.	24	(Exhibit 3 was marked for
25	Q. Is it fair to say that part of your job is	25	identification.)
	35		37
1	to create contenders?	1	BY MR. MADDEN:
2	A. The matches I put together have contenders	2	Q. Okay. So the document that's been put in
3	emerge.	3	front of you as Exhibit 2 has been produced by Zuffa
4	Q. Who is Joe Benavidez?	4	as a compilation of text messages that have been
5	A. He's a fighter in the 125-pound weight	5	pulled from your phone.
6	class.	6	And we will go into some of them
7	Q. Is he a higher level fighter than the	7	specifically later, but for now, introduced as
8	125-pound weight class?	8	Exhibit 3, is a subset of those text messages.
9	MR. WIDNELL: Objection. Form.	9	If you could take a second to review the
10	THE WITNESS: Yes, he is.	10	subset.
11	MR. WIDNELL: If we could take a break at	11	A. Okay.
12	some point in the near future, if you want to do that	12	Q. So the additional column in the subset,
13	before introducing this document, that would be	13	I'll state for the record, refers to the Bates number
14	great. If you want to do this document and the line	14	on Exhibit 2 where these text messages may be found.
15	of questioning for this document, but as we discussed	15	Now, some of them are incomplete in
16	earlier	16	Exhibit 2, and so the column will we also received
17	MR. MADDEN: Let's mark this as Exhibit 2	17	individual texts that would have the full message.
18	on the record, and then let's take a break.	18	So the column also reflects in some cases where the
19	MR. WIDNELL: Perfect. Thank you very	19	individual text is found where the complete
20	much.	20	information is.
21	(Exhibit 2 was marked for	21	A. Okay.
22	identification.)	22	Q. So that's what the column furthest to the
122	THE VIDEOGRAPHER: We're now going off the	23	right Bates refers to.
23			
23 24 25	record. The time is approximately 9:56 a.m. (A recess was taken from 9:56 a.m.	24 25	Do you recall this text message conversation in January of 2015?

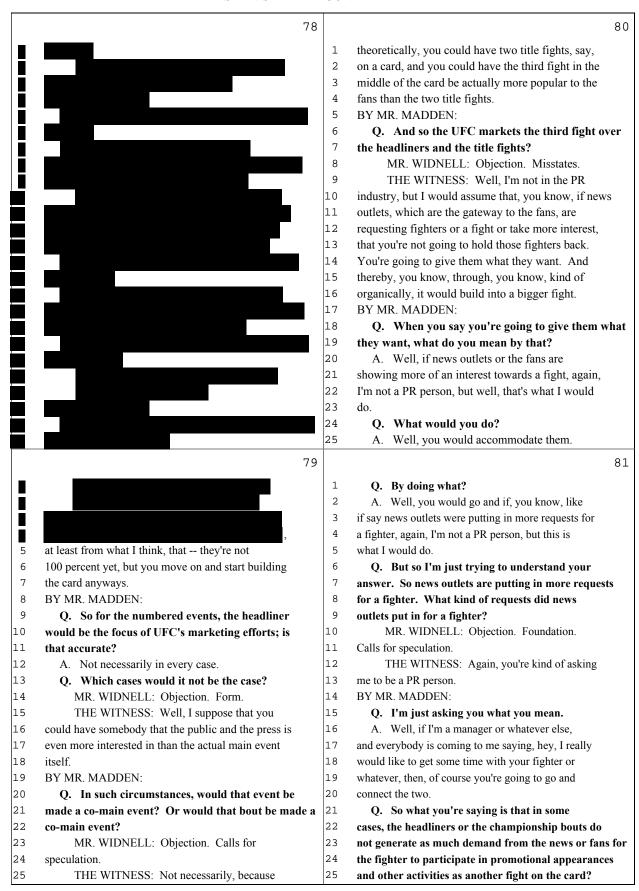
10 (Pages 34 to 37)

38 40 1 A. I don't. have to have somebody challenging for a belt. And 2 2 Q. So as of January of 2015, is it accurate so, you know, that's fighters working their way up 3 3 that Joe Benavidez had fought only twice in three out the division. Q. So contenders are a subset of fighters at 4 of the previous four years? 5 A. I would have to go back and look 5 the top of each division? 6 specifically, but it's possible. 6 MR. WIDNELL: Objection. Form. 7 7 O. Was it common for fighters not to get more THE WITNESS: In this context, yes. 8 than two bouts in a year at that time? 8 BY MR. MADDEN: 9 MR. WIDNELL: Objection. Form. 9 Q. And what do you do to create contenders? 10 THE WITNESS: Well, there were fighters 10 A. Well, you try to make the logical match-ups 11 that had gotten two, and fighters that had gotten 11 that need to -- you know, one guy kind of standing 12 three, and some had four, I think. And maybe more. 12 out among others, and so the public could even 13 BY MR. MADDEN: 13 recognize it, you know, that, you know, this person 14 Q. Did you receive a number of complaints from 14 deserves a title shot. 15 15 fighters who were idle during that time period? Q. So in addition to -- you can put the 16 MR. WIDNELL: Objection. Form. 16 exhibit aside. 17 THE WITNESS: I do receive complaints from 17 A. Sure. 18 18 Q. Thanks. In addition to your responsibility fighters because there are fighters that want to 19 fight every month. And then there's some fighters 19 of pitting individual fighters against each other in 20 that have no intention of fighting even more than 20 a bout, you also have responsibility for filling bout 21 once a year. 21 slots and cards; is that accurate? I'll withdraw 22 22 BY MR. MADDEN: that question. 23 23 Q. So the -- your second text in the chain, as For each UFC event, there's a certain 24 reflected in Exhibit 3, can you read me what you 24 number of bouts; is that accurate? 25 wrote. 25 A. Yes. 39 41 A. Okay. Is it the one where it starts "You Q. Okay. And some number of those bouts you 1 1 2 have an opponent"? 2 were responsible for filling with fighters in your 3 Q. Correct. 3 divisions; is that right? 4 A. "I have 40 other guys in your weight class 4 A. Yes. 5 and 60 bantamweights, 80 featherweight. And I have 5 Q. On a typical card, how many bouts are 6 to create contenders above all else right now. A 6 there? 7 logjam I hope is over before the summer." 7 A. It depends on the state, but there can be 8 Q. In January of 2015, did you have about 40 8 anywhere from 12 to 14. 9 flyweight fighters? 9 Q. Which -- has that been the case all the way 10 10 A. It's possible. through since 2010? 11 11 A. I don't recall. I mean, I would guess. I Q. And is the number for bantamweights 12 accurate roughly, as well? 12 mean, I would have to go back and look specifically. 13 13 A. Yeah, I would say it's possible. That's Q. But as a general matter, the number of 14 14 bouts on an event card hasn't changed over the last what I wrote. 15 15 Q. And is the number for featherweights also seven years? 16 roughly accurate? 16 MR. WIDNELL: Objection. Asked and 17 17 A. I assume it would be. The featherweights answered. 18 seem a little bit high, but okay. 18 THE WITNESS: I don't know. I mean, it 19 Q. And the featherweights are the 145 guys? 19 could have been at 12 and it moved to, you know, kind 20 20 of more or less than the 13. I'm not sure. A. Correct. 21 Q. And so you had written, "I have to create 21 BY MR. MADDEN: 22 22 contenders above all else right now." Q. Of those 12 to 14 bouts, how many are you 23 23 A. Uh-huh. responsible for in a given card? 24 Q. What did you mean by that? 24 A. Currently? 25 25 A. Well, you know, at the end of the day, you Q. Yes.

11 (Pages 38 to 41)

74 76 1 to come up with the best decision possible. meeting going over events, then, yeah, that could 1 2 BY MR. MADDEN: 2 come up. And it could come up from somebody like 3 3 Q. So comparing the Fox events, the events Lawrence Epstein or Lorenzo or Dana. Any number of 4 that are broadcast on the Fox networks, and the UFC 5 numbered events, is there a difference in the quality 5 Q. Who attends these meetings to go over 6 of fighters that appear on the cards? 6 events other than Epstein, Lorenzo, Dana, yourself? 7 7 MR. WIDNELL: Objection. Form. MR. WIDNELL: Objection. Misstates. 8 THE WITNESS: Quality as to what? 8 THE WITNESS: I'm trying to think of all 9 BY MR. MADDEN: 9 the people. I mean, it could be anywhere from just 10 Q. Well, so, I mean, there's championship 10 me and Dana, and now Maynard, or it was Joe Silva, to 11 11 if you're in a scheduling meeting or anything like bouts, right? 12 A. Correct. 12 that. I mean, it's just, there's 10 to 12, 15 people 13 13 at times in these meetings. Dropick was in the Q. That's one sort of upper echelon of 14 quality. And then there's other, you know, 14 meeting. I couldn't name them all. 15 15 BY MR. MADDEN: high-level fighters, I think you've called them 16 16 contenders, that fight each other that will also Q. Is it at those meetings that it's 17 appear on main cards of numbered events, right? 17 determined which bouts go where on the card? So 18 18 A. Uh-huh. whether in a prelim or the main card or the Fight 19 O. Do Fox events also feature similar levels 19 Pass prelim? 20 20 MR. WIDNELL: Objection. Form. of competition, including championship bouts and 21 fights between contenders? 21 THE WITNESS: That's primarily established 22 A. For the most part, championship bouts are 22 between the matchmakers and Dana White. 23 on the pay-per-views. But again, you know, we have 23 BY MR. MADDEN: 24 events -- like a Fox event, you could have -- you 24 Q. So not at the meeting that goes over the 25 could have somebody who has competed on the main card 25 event? 75 77 of a numbered event three months ago, and they're on 1 A. No, not usually. 2 the main card of a Fox event now. So it's really all 2 Q. When you find out that there's an event 3 over the place. 3 that you have bouts to fill, do you and/or Joe start 4 Q. So other than the championship bouts, the 4 with the headliner, or do you just start by putting 5 fighters who appear on the Fox events are similar to 5 together the bouts that you could make? 6 the fighters who appear on the pay-per-view main 6 A. Well, that's a difficult question to 7 cards? 7 answer, because there's so many variables. Usually 8 MR. WIDNELL: Objection. Misstates. 8 you start with a date and a location, and then Joe 9 THE WITNESS: I would agree with that 9 and I would start working on a card. 10 10 assessment. The problem with it is that, again, there's 11 BY MR. MADDEN: 11 so many variables. There's, you know, you have a 12 Q. So when you're filling the bouts for which 12 roster of fighters, but you don't know where they are 13 13 at either physically or mentally. Do they have other you're responsible for -- and let's start with the 14 numbered events, do you have a budget for fighter 14 things going on in their lives? If they can make the 15 15 compensation that you have to abide by for your bout date, if they agree to the opponent. There's again, 16 slots? 16 so many things. 17 17 A. I try to -- I'm usually trying to make the So sometimes we have a headliner right out 18 best card possible at the time, considering 18 of the gate, and that's amazing. And sometimes you 19 variables. There have been times where they have 19 build the undercard, and you have to wait because the 20 come back and said, well, this is quite expensive. 20 main event hasn't materialized. 21 So then you kind of have got to go back to 21 Q. How far out do you set dates -- withdraw. 22 22 the drawing board. How far out are you made aware of dates and 23 Q. Who would tell you that it's quite 23 locations of events? 24 24 MR. WIDNELL: For what time period? expensive? 25 25 MR. MADDEN: Before Joe Silva left the A. If you're sitting in, you know, in a

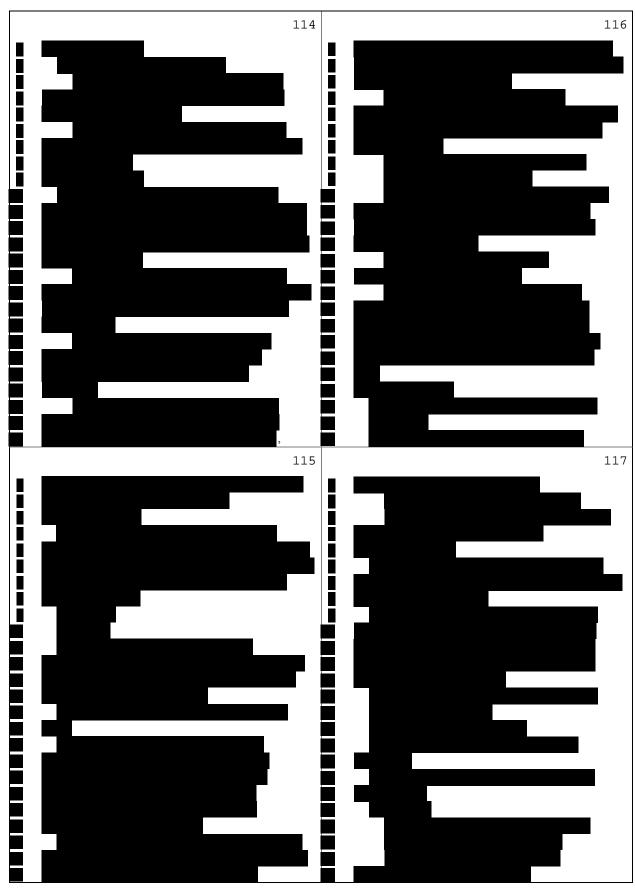
20 (Pages 74 to 77)



21 (Pages 78 to 81)

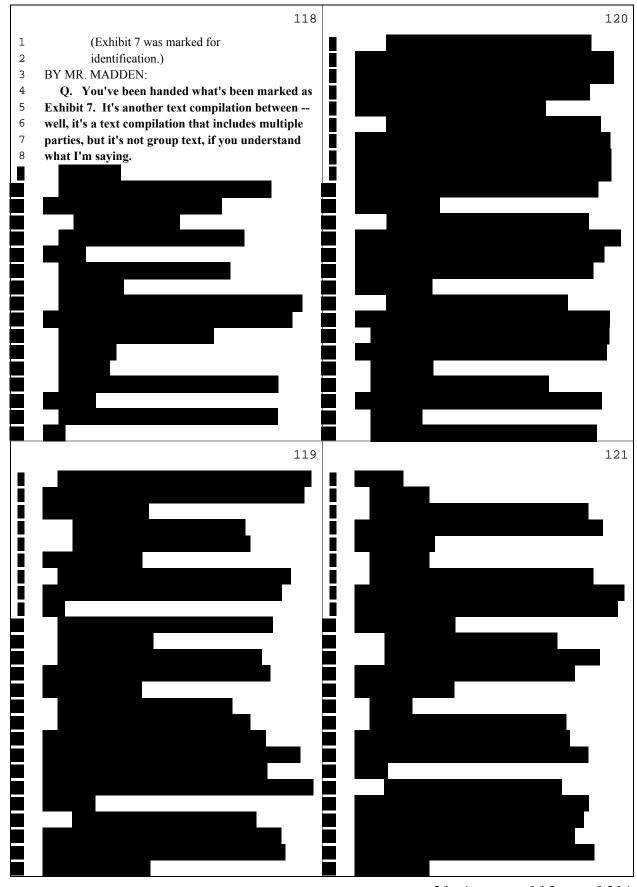
82 84 1 MR. WIDNELL: Objection. Misstates the 1 feature the names and/or likenesses of the main event 2 2 testimony which, was discussing a hypothetical, not fighters? 3 3 MR. WIDNELL: Objection. No time period actual facts. 4 THE WITNESS: Could you restate that? 4 specified. 5 BY MR. MADDEN: 5 THE WITNESS: I mean, yes and no. I mean, 6 Q. So several questions ago I asked whether 6 there could be the main event fighters. There could 7 7 the headliner was the main focus of the UFC's be the co-main event fighters. There might be other 8 marketing efforts. And you described a situation in 8 fighters that they feature. 9 which they might not be, such as when there are 9 BY MR. MADDEN: 10 10 Q. So the UFC puts out marketing materials requests for appearances or access to a fighter who 11 11 is not the headliner and/or is not in a championship featuring more than just the names and likenesses of 12 12 bout. the headliners? 13 13 MR. WIDNELL: Objection. Foundation. No A. Uh-huh. 14 Q. And so I'm just trying to get clarification 14 time period specified. 15 15 THE WITNESS: Are you referring to now on what you are saying there, and is what you're 16 16 saying that on occasion, based on news and/or fan or --17 17 BY MR. MADDEN: demand, a fighter that is not the headliner and is 18 18 not in the championship bout may be made accessible Q. Does that affect your answer? 19 for appearances or interviews or some other form of 19 A. I mean, I don't know anything about that 20 20 UFC marketing as opposed to the headliner? now. And you're also talking about when I did it, 21 MR. WIDNELL: Objection. Misstates 21 you're talking about it, we're talking a long time, 22 22 testimony. years ago. 23 23 THE WITNESS: That's not exactly what I'm Q. So you don't see any of the UFC's marketing 24 24 saying. What I'm saying is that you could put a materials now? 25 fight on a card, and again, it could, for some 25 MR. WIDNELL: Objection. Misstates. 83 85 reason, whatever reason, it could just generate so THE WITNESS: I do not focus on UFC 1 1 2 much more interest than the ones that are at the top 2 marketing materials. I drive by, I'll see a 3 of the card, the main or co-main. Theoretically, 3 billboard, sure. 4 that could happen. 4 BY MR. MADDEN: 5 5 So you have, again, people in the news Q. And those billboards feature the names and 6 outlets or fans just going after that fight, showing 6 likenesses of headline fighters? 7 7 more interest in that fight, going to the fighter, MR. WIDNELL: Objection. Misstates. 8 going to the managers or agents or whatever have you. 8 THE WITNESS: Really, the only one I 9 And you can, I assume, coming to the UFC saying, hey, 9 actually drive by now, you know, when I see it, it's 10 we want more information about that bout. We want to 10 the one out there. And I've seen title fights on it. 11 11 write stories on that bout and whatnot. I've seen fights that aren't title fights on it. 12 BY MR. MADDEN: 12 BY MR. MADDEN: 13 13 Q. So the UFC's advertising materials include Q. Are they the headliners on the event 14 billboards and posters and television advertisements, 14 whether they're title fighters or not? 15 15 MR. WIDNELL: Objection. Form. 16 MR. WIDNELL: Objection. Foundation. 16 THE WITNESS: I believe I've seen fights 17 17 BY MR. MADDEN: that weren't headliners. 18 18 Q. And in fact, you used to work on some of BY MR. MADDEN: 19 those advertisements, right? 19 Q. Is it important for marketing purposes that 20 A. Correct. 20 the headliner of a pay-per-view card be either an 21 MR. WIDNELL: Were you asking about the 21 established star or a championship bout? 22 22 time period when he worked on advertising? MR. WIDNELL: Objection. Form. 23 MR. MADDEN: I think my question was clear. 23 THE WITNESS: Again, I'm not in the PR 24 BY MR. MADDEN: 24 business or the marketing business. So I assume if 25 25 you're going to put somebody as the main event you're Q. And those posters and billboards will

22 (Pages 82 to 85)



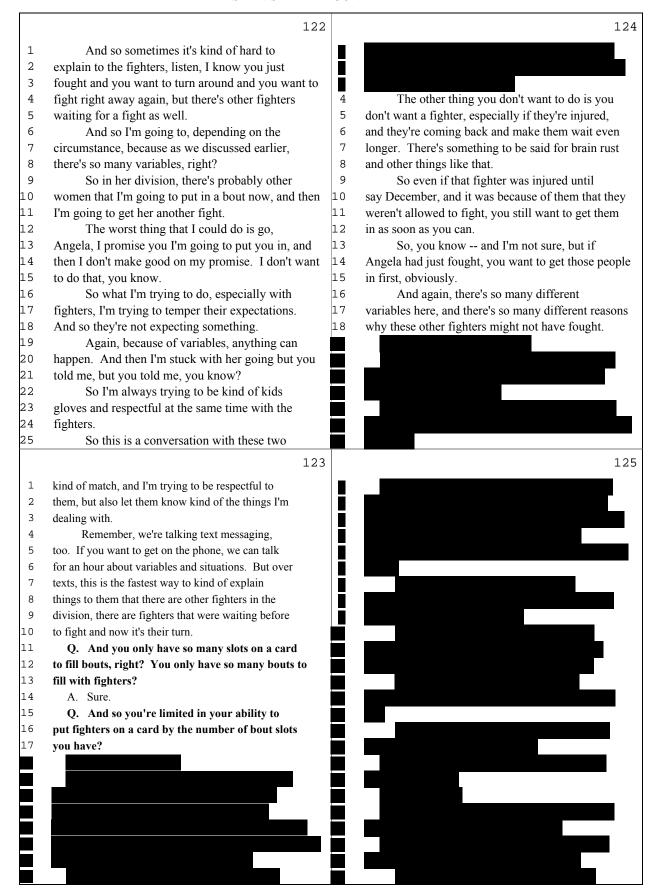
30 (Pages 114 to 117)

DAVID FELDMAN WORLDWIDE, INC. 450 Seventh Avenue - Ste 500, New York, NY 10123 1.800.642.1099



31 (Pages 118 to 121)

DAVID FELDMAN WORLDWIDE, INC. 450 Seventh Avenue - Ste 500, New York, NY 10123 1.800.642.1099

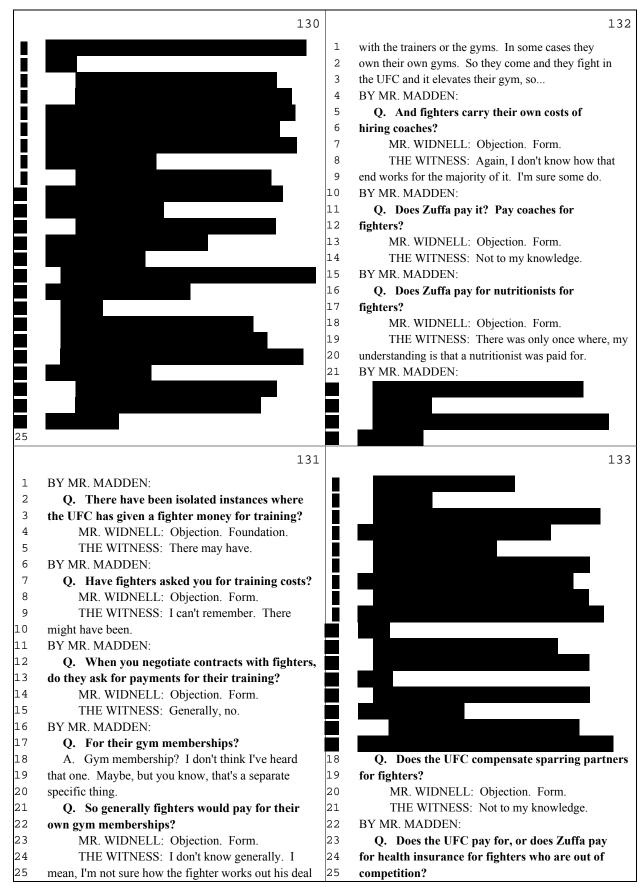


32 (Pages 122 to 125)

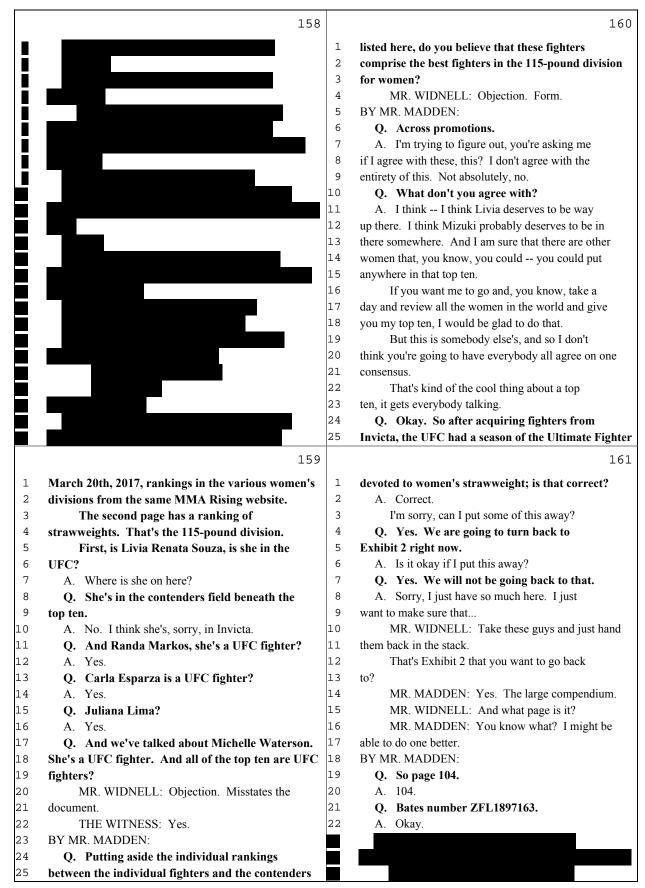


33 (Pages 126 to 129)

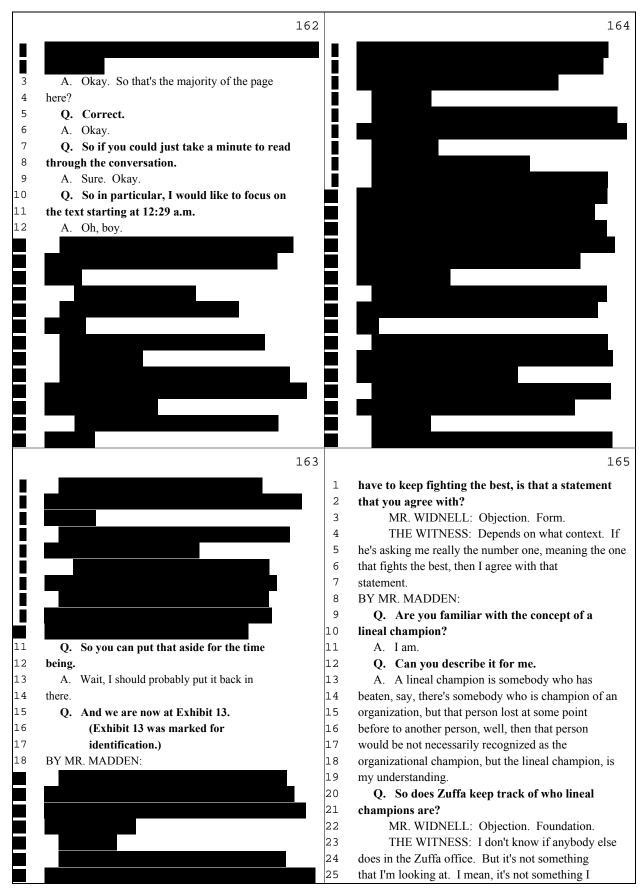
DAVID FELDMAN WORLDWIDE, INC. 450 Seventh Avenue - Ste 500, New York, NY 10123 1.800.642.1099



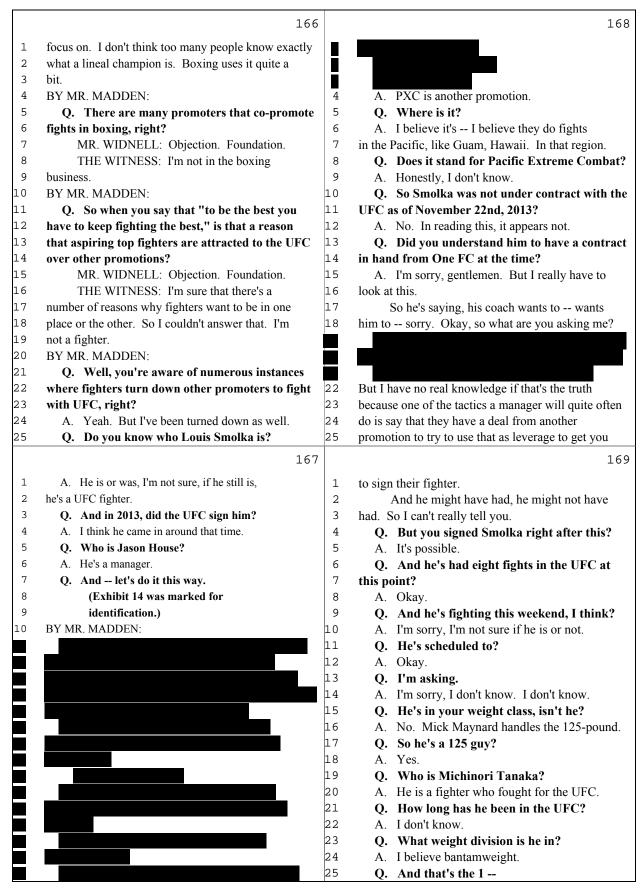
34 (Pages 130 to 133)



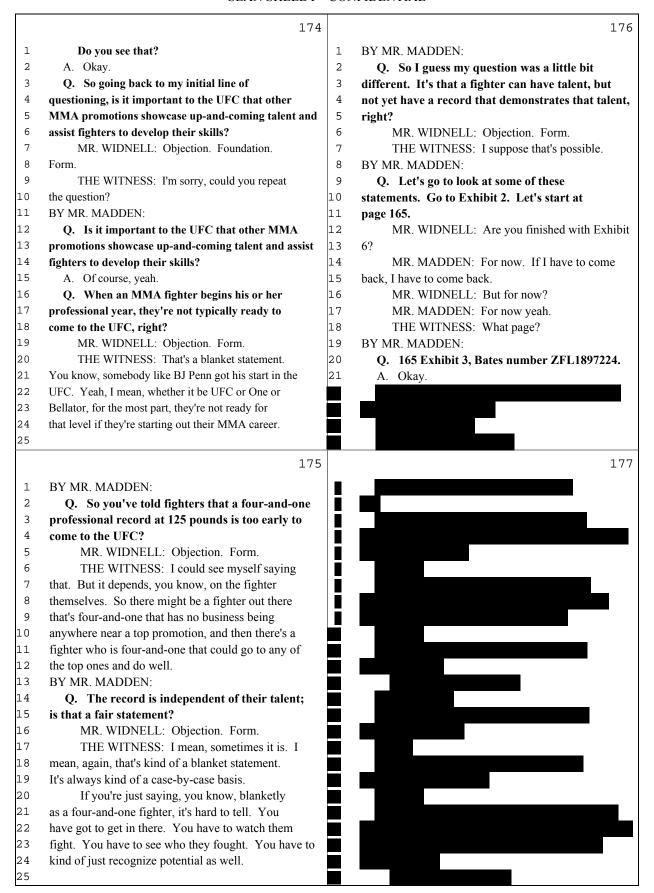
41 (Pages 158 to 161)



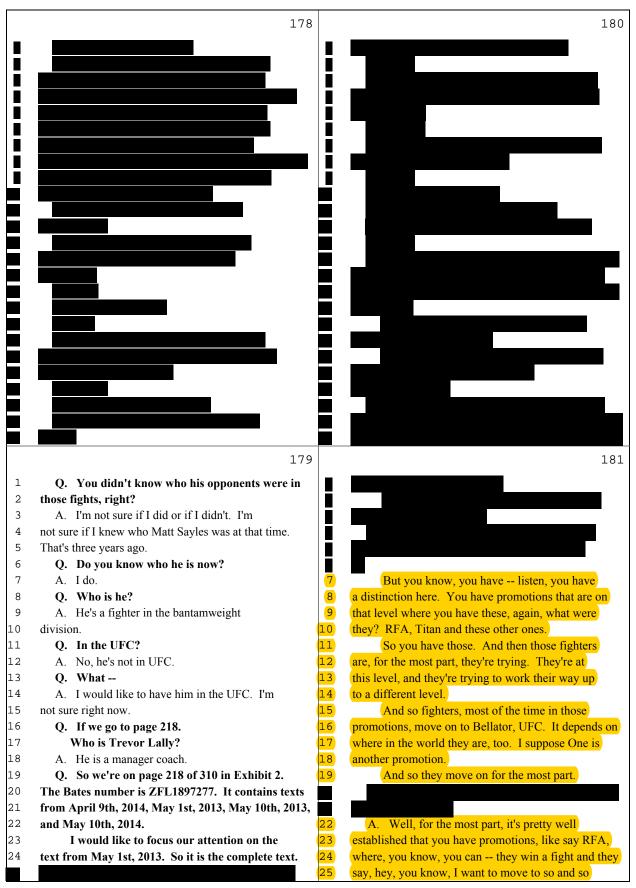
42 (Pages 162 to 165)



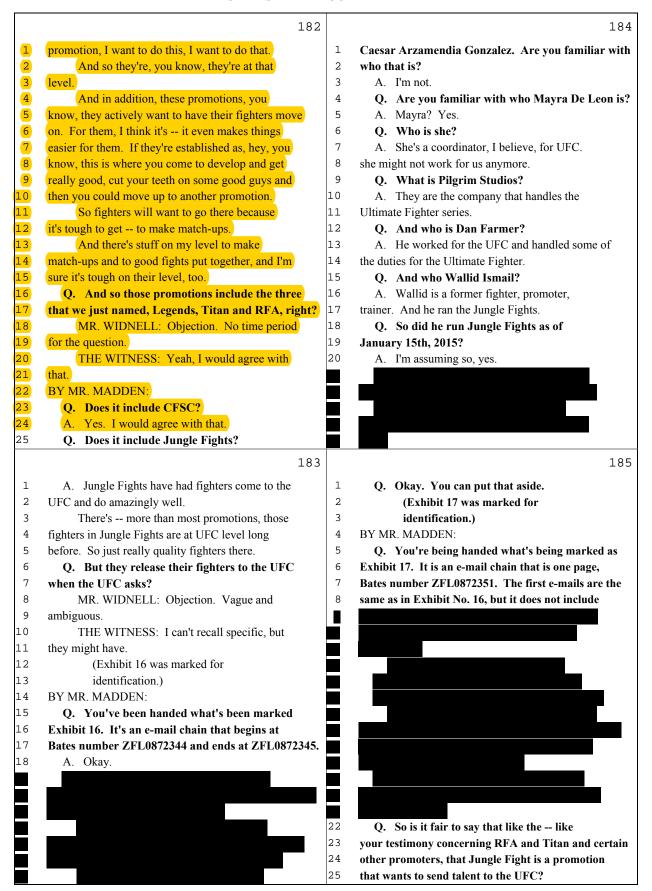
43 (Pages 166 to 169)



45 (Pages 174 to 177)



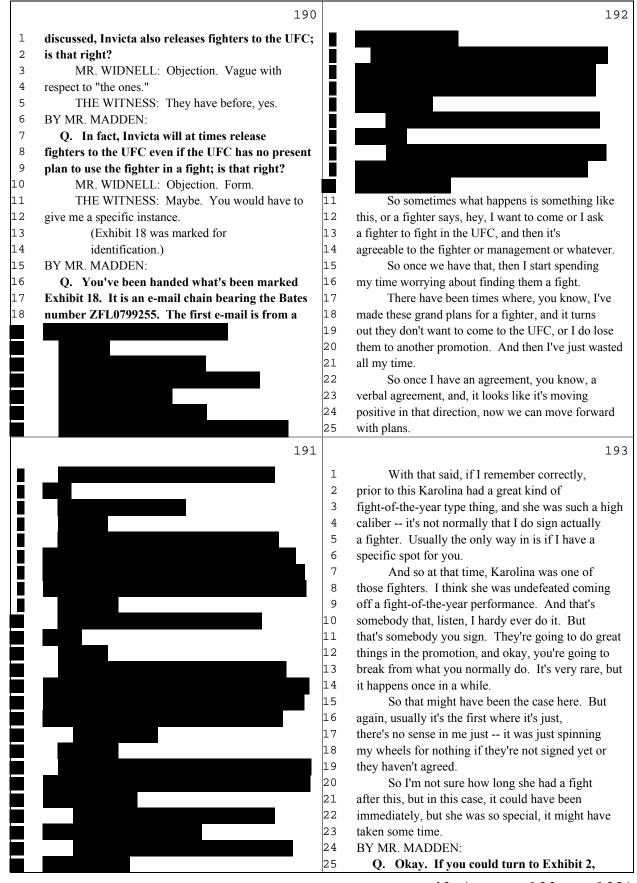
46 (Pages 178 to 181)



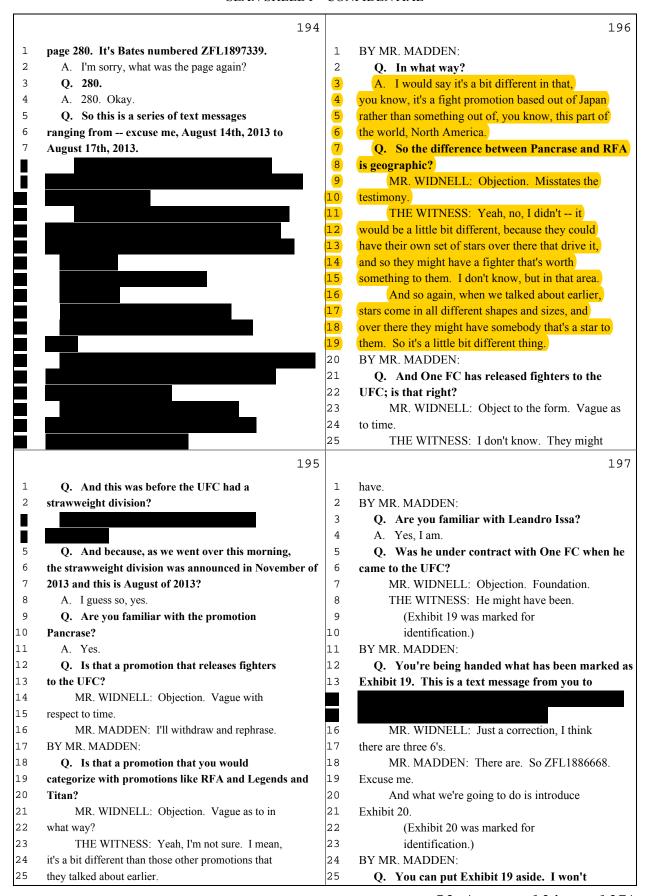
47 (Pages 182 to 185)

186 188 1 MR. WIDNELL: Objection. Misstates sign their fighters and they turned you down? 1 2 MR. WIDNELL: Objection. Form. testimony. Vague and ambiguous with respect to date. 2 3 THE WITNESS: I can't remember. 4 BY MR. MADDEN: 5 Q. So you don't remember any instances that 6 Jungle Fight has denied the UFC access to one of its 7 fighters? 8 MR. WIDNELL: Objection. Form. 9 There have been situations, too, where, you 9 THE WITNESS: I don't remember either/or. 10 10 know, a fighter -- first of all, you know, if I find BY MR. MADDEN: 11 out that a fighter is under contract with another 11 Q. So it's just possible that they could say 12 promotion, I back off, and you know, try to sort out 12 no? 13 with the promoter. But there are situations, too, 13 MR. WIDNELL: Objection. Form. 14 where a fight promoter will say, listen, this fighter 14 THE WITNESS: I assume it is. 15 is under contract with me. And in reality, we have 15 BY MR. MADDEN: 16 no real way of knowing if they do or they don't. 16 Q. But you don't know that it's possible? 17 And so, I mean, this could easily, maybe he 17 A. I don't. I mean, we're speaking 18 hypotheticals now. 19 Q. Well, you testified, "I wish I could take 20 more fighters from Jungle Fight if they allowed." 21 So it's kind of really hard for me to take 21 Who is "they"? 22 22 A. Well, whoever the powers that be is. I this as anything. 23 23 But with that said, you know, I think other don't know the hierarchy of Jungle Fight. So when I 24 fighters have come in from Jungle Fight before. 24 say they, I mean the promotion. 25 My original point was, is that what 25 Q. Of Jungle Fight? 187 189 separates Jungle Fight a little bit from those other 1 1 A. Of Jungle Fight, yes. 2 ones are there are so many amazing fighters in Jungle 2 Q. So you have not, to your knowledge, ever 3 Fight, I think that those fighters down there, 3 been turned down to sign one of their fighters to the 4 specifically Jungle Fighter, are just UFC caliber 4 UFC, but you would if they allowed you to? 5 5 fighters. There's a lot of guys down there in that MR. WIDNELL: Objection. Form. 6 THE WITNESS: I don't remember which 6 organization. 7 7 BY MR. MADDEN: fighters have been through Jungle Fight or fought in 8 Q. What makes them UFC caliber? 8 Jungle Fight or not. 9 9 A. Are they good fighters or not? Could they But an overall generalized statement is 10 10 fight in a top promotion? that there are amazing, really good fighters in 11 11 Jungle Fight, and that's what my point is. Q. So why do they fight in Jungle Fight if 12 they could fight in a top promotion? 12 BY MR. MADDEN: 13 MR. WIDNELL: Objection. Form. 13 Q. There are amazing really good fighters in 14 THE WITNESS: Well, you know, I can't speak 14 Jungle Fight that you have not attempted to sign to 15 15 for the other top promotions, again like Bellator or the UFC; is that accurate? 16 us, but you have to understand that, especially in 16 MR. WIDNELL: Objection. Form. 17 17 THE WITNESS: I don't know specifically. I Brazil, there are so many top fighters. So many 18 talented fighters. Of course, there isn't spots for 18 would have to go back and look. 19 19 BY MR. MADDEN: everybody, you know. 20 So they will be fighting in Jungle Fight. 20 Q. What would you look at? 21 And you know, I wish I could take more fighters from 21 A. I would have to go back and try to remember 22 22 Jungle Fight if they allowed it, but it's just not a if I've tried to sign somebody, I had signed 23 23 somebody. I mean, you're asking about specifics, possibility. 24 BY MR. MADDEN: 24 25 25 Q. Have you requested from Jungle Fight to Q. So in addition to the ones that we've

48 (Pages 186 to 189)



49 (Pages 190 to 193)



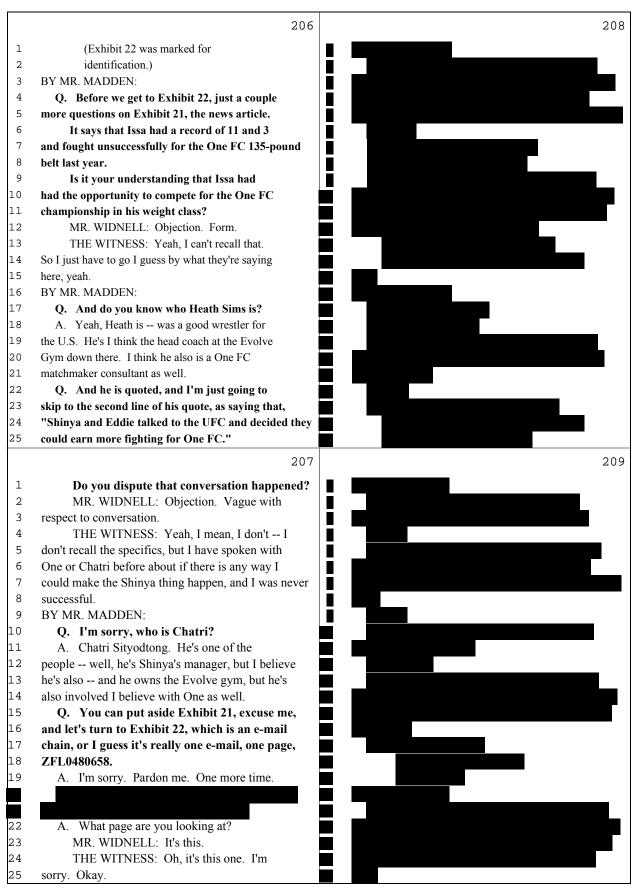
50 (Pages 194 to 197)

198 200 1 have any questions on it. It will be included in 1 Q. We're going to come back to this exhibit, 2 Exhibit 20 that you're getting now. 2 but I would like to in the interim introduce 3 3 A. Okay. Exhibit 21. 4 O. Exhibit 20 is a compilation of text 4 (Exhibit 21 was marked for 5 messages from November 24th, 2013 to November 25th, 5 identification.) 6 2013 between you and -- excuse me, to November 26th, 6 MR. WIDNELL: Is this a document that 7 you've produced to us? 8 MR. MADDEN: It is not. MR. WIDNELL: I thought we had an agreement 9 10 we were producing documents to each other before 11 using them in depositions. 12 MR. MADDEN: So as a preliminary matter, 13 Can I read this first? 13 that is an agreement that your side deliberately 14 O. Yes. 14 chose not to follow yesterday, so... 15 15 A. All right, thanks. Okay. Got it. MR. WIDNELL: With which document? 16 Q. Okay. So does this refresh your 16 MR. MADDEN: With documents concerning --17 recollection on whether Issa was under contract with 17 MR. WIDNELL: Which document in particular? 18 18 One FC at the time that you signed him to fight We produced at least one document ahead of time. **Russell Doane?** 19 19 MR. MADDEN: And you used documents that 20 20 A. Yeah, it absolutely does. you didn't produce. 21 Q. And he was? 21 I'm not going to get into an argument about 22 22 it right now. The fact of the matter is we've asked A. Yeah, he was. 23 It was a strange case, too, because it was 23 several times for the basis of the objection. We 24 really -- this one stands out because Chatri 24 have yet to get it. 25 Sityodtong is I guess in control, one of the guys in 25 You have not abided by the rule on your 199 201 control of One FC. And so at the time it was really own, and we have asked for documents in the public 1 sphere from you, and you objected to giving them to 2 peculiar that he wanted him into the UFC because, as 2 3 I said here, it's right here, it's not normally 3 us on that basis, that they are in the public sphere. 4 possible. They don't let their fighters come to the 4 So it is our position that this objection 5 5 UFC. If they did, I wish I could have Aoki and their has been long since waived. 6 6 MR. NORTH: Let's go over off the record if 125-pound champion. 7 7 I can't even tell you how many times we got there will be further discussion on this subject. 8 calls from their matchmaker telling us to back off 8 MR. WIDNELL: Can we go on off the record? 9 9 their fighters because we didn't know that they were I just want to make sure we're on the same page. I'm 10 10 under contract at the time. not actually trying to impede anything here. Can we 11 11 So that's why this one really stands out to go off? 12 me. He did come to the UFC, and it was a weird 12 MR. MADDEN: I'm fine with going off the 13 13 record. situation where, you know, we were going into 14 Singapore. Leandro was training, and a trainer at 14 THE VIDEOGRAPHER: We are now going off the 15 15 record. The time is approximately 3:33 p.m. the gym. And the Chatri Sityodtong, who has 16 something to do with One FC, said, hey, can you give 16 (A discussion was held off the record.) 17 17 THE VIDEOGRAPHER: We are now back on the him a UFC shot? You know, he's scheduled to do 18 18 something else, but we would really want to put him record. The time is approximately 3:34 p.m. 19 19 BY MR. MADDEN: in there. 20 20 And you know, at the time, the offices out Q. All right. So you've been handed what's 21 21 of Asia were telling me to be really nice to Chatri. been marked as Exhibit 21. It is an article from 22 22 And so I put him in a UFC fight. So that's why it MMA Weekly dated November 26th, 2013. So it 23 23 just really stands out. It was just so out of the coincides with the end of the text chain that was 24 ordinary for this one fighter to come into the UFC. 24 Exhibit 20. 25 25 A. Okay. So that's pretty much it.

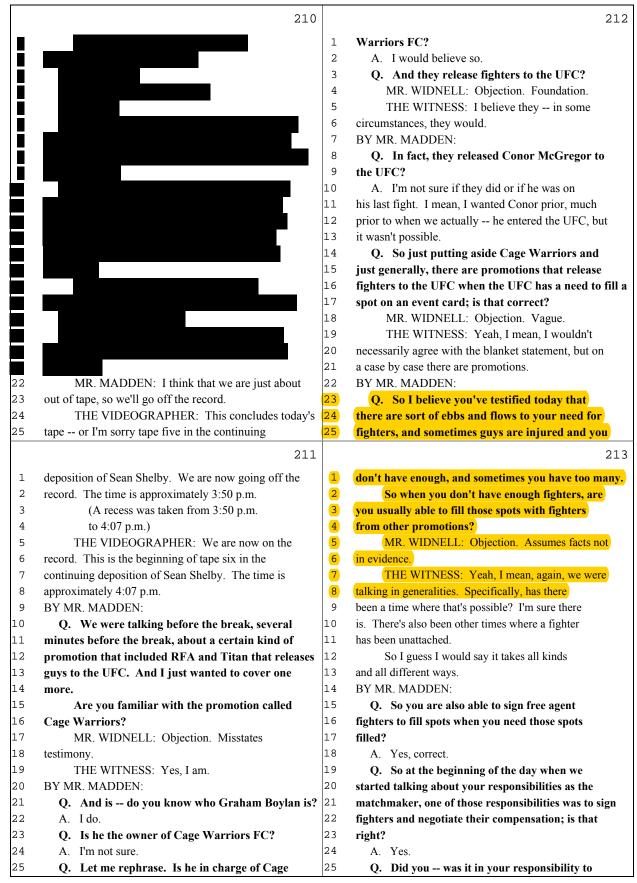
51 (Pages 198 to 201)

202 204 1 Q. And it's titled UFC Signs Leandro Issa, 1 A. I don't believe so. I'm not sure about 2 David Galera and Royston Wee, but misses out on Eddie 2 Dave Galera. But I think Royston was actually on --3 3 Ng and Shinya Aoki. this is a long time ago, so I think Royston was 4 A. Okay. actually involved in the Ultimate Fighter China, and 5 5 then came into this, I think. Q. And the article reports that bantamweights 6 Leandro Issa, Dave Galera and Royston Wee were added 6 And then Dave Galera, I don't think so. I 7 7 to the UFC roster, with the latter pair set to face think Leandro was the only one. I could be wrong 8 8 each other in Singapore on January 3. about Dave, but I'm fairly certain it was just Issa. 9 Were those three fighters all on the One FC 9 Q. Okay. So did you say that Wee may have 10 roster prior to being signed by the UFC? 10 been UFC Tuf China? 11 A. Yeah. I mean, I assume so. To my 11 A. Wee might have been, yeah. 12 knowledge, Ng, Aoki, Issa -- is there another one on 12 O. And then Galera, you believe, was a free 13 here? 13 agent when he was signed? 14 Q. I'm referring to Leandro Issa, Dave Galera 14 A. I believe. I mean, we're talking years 15 and Royston Wee with that question. 15 ago, so I'm not sure. But that's what I think was 16 A. I'm not sure if Dave Galera was or if he 16 the case, was he's a -- Galera is a free agent. Wee 17 17 was from China, and Issa was with One FC. 18 18 Q. Is Galera and Wee, are they within one of Q. So had Galera and Wee previously been with 19 the weight classes that you were charged with? 19 One FC? 20 A. I'm sorry, I'm confused here. 20 A. I have no idea. 21 MR. WIDNELL: Objection. 21 Q. Was Eddie Ng a One FC fighter? 22 THE WITNESS: Are you asking, you're asking 22 A. I believe Eddie was a One FC fighter. 23 23 Q. And Shin Aoki was a One FC fighter? if all of these gentlemen were on the One FC roster? 24 BY MR. MADDEN: 24 A. He's a One FC fighter. 25 Q. So my question is when they were signed in 25 Q. And this article reports that they each 203 205 1 November of 2013, were they previously to being 1 declined the opportunity to sign with the UFC. Is 2 signed on the One FC roster? Those three fighters, 2 that accurate? 3 Leandro Issa, Dave Galera and Royston Wee? 3 A. I'm just speaking generalities here. 4 MR. WIDNELL: Do you mean at the time that 4 Shinya Aoki can come over and negotiate anytime he 5 they were signed, or at some point previously? 5 wants if one would allow him. That's never going to 6 MR. MADDEN: I mean -- let's see if we can 6 happen. 7 break this down a little bit better. 7 But yeah, I'm not sure. I can't remember 8 BY MR. MADDEN: 8 about Eddie. 9 Q. As you can see in the article, they have a 9 Q. And in 2013, was that also the case? 10 quote from Leandro Issa where he said he "only had 10 A. With Shinya? 11 one more fight on my One FC deal, and the UFC wanted 11 O. Yes. 12 to sign me. I asked Victor Cui, and he said I had 12 A. Yes. Yeah, Shinya Aoki, I hold in very 13 done some great fights and to say thank you, he would 13 high regard. 14 allow me to sign. They are the two biggest 14 Q. And I just want to be clear about timelines 15 organizations in the world, and I was so proud to 15 here. In November of 2013, you also held him in 16 fight for One FC, but when I first started MMA my 16 very high regard and would have signed him if the 17 dream was to fight for UFC. So I am so happy that 17 opportunity had presented itself? 18 18 dream is coming true." A. Listen, the sport ebbs and flows, right? 19 So as I understand it, Issa had an active 19 So I'm not sure if Aoki had lost at any point, and 20 contract with One FC that he was released from in 20 then you kind of get down on the guy, but then they 21 order to sign with the UFC. 21 come back and they're great. 22 22 Is that your understanding? But, you know, I like Shinya. But were 23 23 A. That's my understanding. there times where I didn't have space or wouldn't be 24 Q. Okay. Were Galera and Wee in similar 24 able to take him, then sure. But generally, I like 25 25 positions? Shinya, you know.

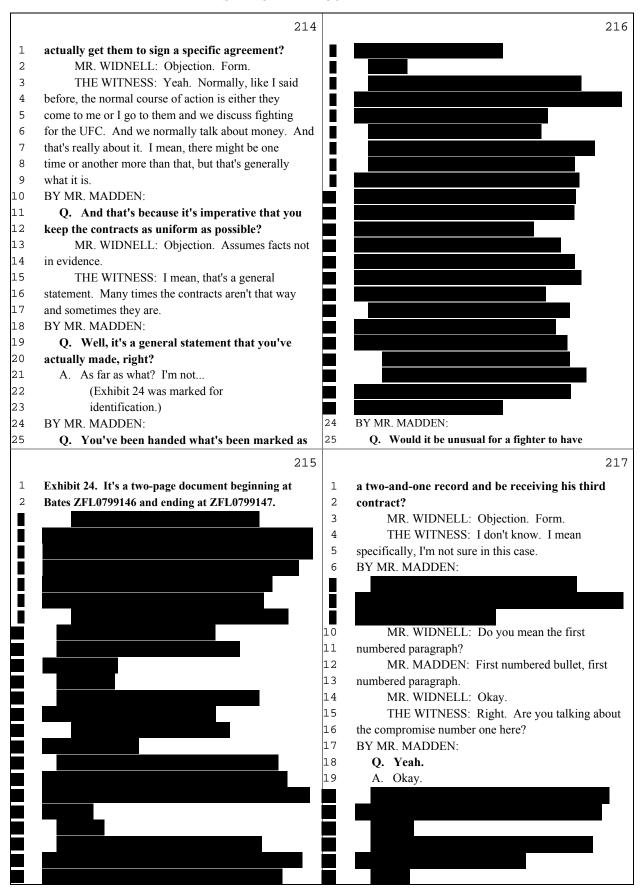
52 (Pages 202 to 205)



53 (Pages 206 to 209)



54 (Pages 210 to 213)



55 (Pages 214 to 217)

DAVID FELDMAN WORLDWIDE, INC. 450 Seventh Avenue - Ste 500, New York, NY 10123 1.800.642.1099